



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy No. DOC 4.6.3	Subject: <b>DOC COMMITMENTS</b>
Chapter 4: FACILITY/PROGRAM SERVICES	Page 1 of 3
Section 6: Release/Placement	Effective Date: Oct. 29, 1999
Signature: /s/ Mike Batista, Director	Revised: 04/25/2013

## **I. POLICY**

The Department of Corrections refers adult offenders and criminally convict youth committed to the Department to appropriate placements in Department and contracted facilities or programs including assessment centers, prerelease centers, specialized treatment programs, and secure care facilities and may place offenders committed to the Department in the community on conditional release status upon recommendation of Adult Community Corrections Division staff.

## **II. APPLICABILITY**

All divisions, facilities, and programs Department-owned and contracted, as specified in contract.

## **III. DEFINITIONS**

Adult Community Corrections Division (ACCD) – Composed of facilities and programs that include: Probation and Parole Bureau; Prerelease Centers (PRC); Sanction, Treatment, Assessment, Revocation & Transition (START); Warm Springs Addictions Treatment and Change Program (WATCH); Connections Corrections Program (CCP); Passages Alcohol and Drug Treatment (Passages ADT); Intensive Supervision Program (ISP); Missoula Assessment and Sanction Center (MASC); Passages Assessment, Sanction & Revocation Center (Passages ASRC); NEXUS Correctional Treatment Center (NEXUS); Elkhorn Treatment Center (Elkhorn); and Treasure State Correctional Training Center (TSCTC).

Assessment Center – An Adult Community Corrections Division facility or program that evaluates the needs of offenders for placement in the community.

Conditional Release – A status that applies to offenders who are committed to the Department of Corrections, placed in a community corrections program, and may be released to community supervision.

Criminally Convicted Youth – Any youth convicted in adult court pursuant to [41-5-206, MCA](#) except a youth convicted of a crime that carries a possible punishment by life, death, or 100 years in prison is a criminally convicted youth.

DOC Commitment – A commitment by the district court of an adult offender, criminally convicted youth, or extended jurisdiction youth, for placement in a state correctional facility or program operated by the Department or under the authority of the Department pursuant to [46-18-201, MCA](#).

## **IV. DEPARTMENT DIRECTIVES**

### **A. General Requirements of DOC Commitments**

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1. Each DOC commitment must be placed in the county jail until the offender has been assessed and classified by the Probation and Parole (P&P) Bureau for appropriate placement within the corrections system. If the offender has been assessed and classified prior to sentencing, the offender may be immediately placed in the appropriate facility or program.
2. P&P is responsible for determining the appropriate placement of all offenders pursuant to [\*P&P Standard Operating Procedure 150-1, Department of Corrections Commitments\*](#). The regional administrator or P&P Officer II (PO II) must approve each placement.
3. If a DOC committed offender is not considered appropriate for initial community placement by the regional P&P office, the offender may be placed in the designated assessment center. If the assessment center staff is unable to find appropriate community placement, that offender may be placed in a secure care facility after an override is granted by the Adult Community Corrections Division (ACCD) administrator.
4. The P&P Bureau will develop procedures to implement placement of DOC commitments that include screening and classification to determine appropriate placement.
5. The Department will assume financial responsibility for the care and custody of DOC commitments in district court from the time of sentencing.
6. Placement of criminally convicted youth in an adult secure facility will follow the guidelines of *DOC 4.6.9 Placement & Reporting of Youth with Adult Sentences*.

#### **B. Conditional Release of DOC Commitments**

1. When conditionally releasing DOC commitments, the Department will:
  - a. follow established P&P procedures for the release and supervision of DOC commitments in accordance with [\*P&P Standard Operating Procedure 150-6, Conditional Release of DOC Offenders\*](#);
  - b. release only eligible offenders; and
  - c. ensure that victim notification statute [\*46-24-212, MCA\*](#) has been met.
2. ACCD facilities and programs and the P&P Bureau may use an assessment center for a jail sanction in accordance with [\*P&P Standard Operating Procedure 150-1.1, Program Guide\*](#); [\*P&P Standard Operating Procedure 140-1, Adult Offender Discipline and Disciplinary Hearings\*](#); and [\*P&P Standard Operating Procedure 140-3, Sanction Programs\*](#).

#### **C. Offender Status – Disciplinary/Absconders**

1. Adult offenders on conditional release status who fail to comply with conditions of supervision will be arrested and provided minimal due process as provided in [\*P&P Standard Operating Procedure 140-1, Adult Offender Discipline and Disciplinary Hearings\*](#). For DOC committed offenders failing to report as instructed or absconding supervision, officers will use the procedures outlined in [\*P&P Standard Operating Procedure 100-2, Warrant to Arrest Parolees, Conditional Release Offenders or DOC Inmates on ISP or in Community Corrections Programs\*](#).

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2. A DOC committed offender, who found guilty of a disciplinary violation, may be returned to a higher level of custody including incarceration.

## V. CLOSING

Questions concerning this policy should be directed to the Probation and Parole bureau chief or Adult Community Corrections division administrator.

## VI. REFERENCES

- A. [2-15-112, MCA](#); [46-18-201, MCA](#); [46-24-212, MCA](#); [53-1-203, MCA](#)
- B. *P&P Standard Operating Procedures* [100-2, Warrant to Arrest Parolees, Conditional Release Offenders, or DOC Inmates on ISP or in Community Corrections Programs](#); [140-1, Adult Offender Discipline and Disciplinary Hearings](#); [140-3, Sanction Programs](#); [150-1, Department of Corrections Commitments](#); [150-1.1, Program Guide](#); [150-6, Conditional Release of DOC Offenders](#); [4.6.9 Placement & Reporting of Youth with Adult Sentences](#)

## VII. ATTACHMENTS

None